



## THE CITY OF ARTESIA NEW MEXICO

511 W. TEXAS AVENUE (575) 746-3593 MAYOR  
PO BOX 1310 (575) 746-2122 CITY CLERK  
ARTESIA, NM 88211-1310 (575) 746-3886 FAX

### AGENDA CITY COUNCIL MEETING

May 24, 2022  
5:00 p.m.

1. **Determination as to whether quorum present**
2. **Invocation and pledge of allegiance**
3. **New Requests for City Facilities:**
  - A. \* Artesia Main Street – request Downtown Third Thursdays – “Hot Summer Nights” June 16, July 14, and August 1<sup>st</sup> (the 3<sup>rd</sup> Thursday of each month) MainStreet – from 1<sup>st</sup> to 7<sup>th</sup> Street. Time open to the Vendors: 4:30 pm, Public: 5:30
4. **City Departments and Employees**
5. **Special Reports**
6. **Approval of Consent Agenda**
7. **Public Hearings** – including consideration of final passage of any ordinance as to which proper notice has been published.
8. **Period for Hearing Visitors** (*3-minute time limit*)
9. **Comments from Public Officials and Contracted Services**
10. **Committee Reports:**
  - A. Budget and Finance
  - B. Personnel
  - C. Police and Fire
  - D. Planning (*Project Management, Code Enforcement, Permits and Inspections*)
  - E. Recreation
  - F. Infrastructure (*Streets, Garage, Cemetery, Parks, Water, Wastewater, Solid Waste, Facility Maintenance*)
  - G. Government
11. **Personnel:**
  - A. \*Approval of Resolution 1790 amending the Position Classification Plan to change certain job titles.
  - B. Approval to begin 3% increase in salary on June 1, 2022, for all departments except Police and Fire  
(Note: Police and Fire salaries have already been adj to begin June 1, 2022 in a previous meeting)

\*Denotes material included in Council Packets or previously received material

**12. Public Safety:**

**A. Police Department:**

**B. Fire Department:**

- 1) \*Approval of Resolution 1791 – Proclamations of the City of Artesia declaring extreme or severe drought and restricting the sale and use of fireworks within the City of Artesia.

**13. Community Development:**

**14. Infrastructure:**

**15. City Attorney:**

**16. City Clerk:**

**17. Mayor:**

- A. Hiring for vacant positions process - direction to staff.
- B. Executive session: In accordance with the State of New Mexico Open Meetings Act, Section 10-15-1-(H)(2)(8):
  1. Limited Personnel Matters – Infrastructure department
- C. Action as a result of executive session

**18. New or other business from Councilors:**

**19. Adjournment**

## **CONSENT AGENDA**

### **May 24, 2022**

1. **Approval of Minutes** \*May 10, 2022, \*May 17, 2022
2. **Consideration of Bids:**
3. **Contracts, Leases and Agreements:**
  - A. \*Approval of Engagement Letter with Modrall Sperling for representation in dealings with the New Mexico Environment Department.
4. **Appointments:**
5. **Personnel Resignations, Hirings, Promotions, and Transfers:**

Upon recommendation of the Mayor, subject to successful completion of required pre-employment testing, permission to:

  - A. \*Hire:

<u>Name</u>	<u>Department</u>	<u>Position</u>	<u>Rate of Pay</u>
1. _____	Library	Librarian	\$3689 per month CA29
2. _____	Solid Waste	Equipment Operator I	\$2507 per month CA22
3. _____	Garage	Apprentice Mechanic	\$2271 per month CA18
  - B. Accept the resignation of Alexandra Florez, Utility Billing Cashier, effective May 20, 2022.
  - C. Accept the resignation of Cynthia Martinez, Assistant City Clerk/Records Supervisor, effective May 27, 2022.
6. **Dates of Hearing:**
  - A. Approval of a public hearing on June 14, 2022, to repeal Ordinance 1095 Artesia Stone Lease.
7. **\*Travel and Training:**
  - A. Planning – Ratification of approval for one (1) employee to participate in the Online Flood Plain Certification CUE's
  - B. Police – Ratification of Mayor approval for one (1) employee to attend in the Training Fallen Officer Memorial and Rehearsal
  - C. Solid Waste – Permission for one (1) employee to attend the NMRC annual meeting and training in Albuquerque, NM.
8. **Routine Requests for City Facilities:**
9. **Routine Resolutions (to be assigned a number by staff):**
  - A. \*Approval of Resolution 1789 – A resolution authorizing adopting FLSA standards and reporting of hours of work to PERA for sworn police personnel.
10. **Budgeted Items:**
11. **Quarterly Journal Entries:**
12. **Non-budgeted Items:**
13. **\*Payment of Bills**

\*Denotes material included in Council Packets or previously received material

**MINUTES OF CITY COUNCIL MEETING  
ARTESIA, NEW MEXICO  
May 10, 2022**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, May 10, 2022 at 5:00 p.m. in regular session with Mayor Henry presiding, and the following present to wit:

Jeff Youtsey	Jarrold Moreau
Sam Hagelstein	Ignacio Mariscal
George Mullen	Wade Nelson

Also, present:  
Summer Valverde, City Clerk/Treasurer  
City Attorney Jay Francis

Absent:  
Raul Rodriguez  
Richard Townley

It was determined that a quorum was present. The invocation was given by Councilor Mullen and all joining in the Pledge of Allegiance.

**New Requests for City Facilities:**

None.

**City Departments and Employees**

None.

**Special Reports**

None.

**Consent Agenda**

Councilor Moreau made a motion to approve the consent agenda as written. Second by Councilor Hagelstein and upon vote, the motion carried 6-0.

Mayor Pro Tem Youtsey asked to pull Item 5.) F for discussion of a question.



Mayor Henry stated we have an amended motion by Mayor Pro Tem Youtsey. Second by Councilor Hagelstein and upon vote, the motion passed 6-0.

Mayor Pro Tem Youtsey stated that his question is he had noticed that we were only able to hire one temporary student for the parks department and if there were more positions available or open or if it is closed. Human Resource Director Jerry Conde stated that he believes the positions are still open.

Mayor Pro Tem Youtsey made a motion to approve 5.) F. Second by Councilor Mullen and upon vote, the motion passed 6-0.

Councilor Mullen made a motion to approve the consent agenda as written. Second by Councilor Moreau and upon vote, the motion passed 6-0.

## **CONSENT AGENDA**

### **May 10, 2022**

1. **Approval of Minutes** \*April 26, 2022
2. **Consideration of Bids:**
3. **Contracts, Leases and Agreements:**
  - A. \*Approval of Memorandum of Agreement (A-22-50) with Eddy County DWI regarding the FY23 CDWI Funds
4. **Appointments:**
  - A. Approval of the reappointment of Smith Allen to the Commission on Aging Advisory Council (term to expire June 2024)
  - B. Approval of the reappointment of Dorothy Crouch to the Commission on Aging Advisory Council (term to expire June 2024)
  - C. Approval of the appointment of Ronnie Null to the Commission on Aging Advisory Council (term to expire June 2024)
  - D. Approval of the appointment of Joe Schiel to the Commission on Aging Advisory Council (term to expire June 2024)
  - E. Approval of the appointment of Andrew Davidson to the Library Board of Trustees (term to expire June 2025)
  - F. Approval of the appointment of Kaitlynn Hirst to the Library Board of Trustees (term to expire June 2025)
  - G. Approval of the appointment of Susan Dade to the Library Board of Trustees (term to expire June 2025)
5. **Personnel Resignations, Hirings, Promotions, and Transfers:**

Upon recommendation of the Mayor, subject to successful completion of required pre-employment testing, permission to:

  - A. \*Ratification of hire:

<u>Name</u>	<u>Department</u>	<u>Position</u>	<u>Rate of Pay</u>

1. Amberlynn Harvey      Police      Community Service      Officer\$2058 per month  
CA14
- B. Accept the resignation of Rigo Chavez, Police Corporal, effective April 25, 2022
- C. Accept the resignation of Michael Ingram, Wastewater Assistant, effective April 27, 2022
- D. Accept the resignation of Daniel Holmes, City Prosecutor, effective April 28, 2022
- E. Accept the resignation of Brian Shetterly, Wastewater Assistant, effective April 29, 2022
- F. Hire (*\*from approved list*) subject to successful completion of required pre-employment testing:
  - 1) Temporary Recreation Positions - \$11.50 per hour
  - 2) Streets/Parks Summer Workers - \$11.50 per hour
6. **Dates of Hearing:**
7. **\*Travel and Training:**
8. **Routine Requests for City Facilities:**
9. **Routine Resolutions (to be assigned a number by staff):**
  - A. \*Approval of resolution for the Acceptance and Approval of the FY 20-21 Audit
10. **Budgeted Items:**
11. **Quarterly Journal Entries:**
12. **Non-budgeted Items:**
13. **\*Payment of Bills**

**Public Hearings** – including consideration of final passage of any ordinance as to which proper notice has been published.

None.

### **Period for Hearing Visitors**

Debbie Brazas, Chief Hope's Administrative Assistant greeted and thanked everyone. Stating that she is also on the Board of Directors 911 Memorial, that they brought the 911 Memorial last year and this year they are organizing a Guns & Hoses Charity Softball Game Police vs. Fire. They want to invite all City Council to join and help them spread the word to get the community to unite together to honor our Community's First Responders. Also, stating they have entertainment scheduled along with a dunk tank and to come out and help them to raise some funds so that the organization can continue 911 remembrance, youth education and assisting the firefighters in times of crisis. Their goal is to also partner with some local Veteran organizations to provide needed resources to our Veterans as well. Debbie stated she would like everyone to join them on May 28<sup>th</sup> at Brainard Park at high noon with being a 50's era type baseball game

complete with peanuts, crackerjacks, hotdogs and sarsaparilla along with old fashioned sodas and hope they come and join. Debbie then thanked everyone for their time and then stood for questions.

### **Comments from Public Officials and Contracted Services**

None.

### **Committee Reports:**

- A. Budget and Finance – Councilor Moreau stated they have met several times during the last couple of weeks and are trying to figure some pay scale issues to come to a solution which will be brought to the Budget Special Meeting.
- B. Personnel – None.
- C. Police and Fire – Councilor Nelson stated that he sent his report this week that will be discussed at the Budget Special Meeting.
- D. Planning (*Project Management, Code Enforcement, Permits and Inspections*) – None.
- E. Recreation – None.
- F. Facility Maintenance) – None.
- G. Government – Mayor Henry stated that they are doing some restructuring to get more involved. Mayor Pro Tem Hill stated that they have talked with the Mayor and Summer last week with the government committee being more involved. In the past they have partnered with the Finance Director and took care of the library, museum, senior center and the airport to give some representation of issues that come up that can be sorted through before coming to Council. Summer stated that she has spoken to the supervisors of the departments, and they are ecstatic because there is a lot of things going on that will definitely help sort through some issues and will get with Council on this. Mayor Pro Tem Youtsey stated that he looks forward to helping Summer with this. Mayor Henry stated that this is a great recommendation and that they will become much more active and efficient; then asked if there were any questions on this.

### **Personnel**

- A. \*Consideration and approval of the reclassification of John Anguiano to Assistant Director of Infrastructure at the salary of \$6075 per month (CA45)

Human Resource Director Jerry Conde presented consideration and approval of the reclassification of John Anguiano to Assistant Director of Infrastructure at the salary of \$6,075 per month (CA45).

Councilor Hagelstein made a motion to approve reclassification of John Anguiano. Second by Councilor Mullen and upon vote, the motion passed 6-0.

- B. \*Safety stats

Jerry stated that there was one work comp report for the month of April and no reports regarding city vehicles.

**Public Safety****Police Department:**

Police Chief Roberts greeted everyone then spoke on stats that this week there was an increase in stolen vehicles that were recovered. There was discussion of future direction of what can be done on edible cannabis product packaging having the same brand package as regular retail candy and chips. They discussed that could cause problems with children not knowing the difference. Chief Roberts then stood for questions.

**Fire Department:**

- 1) End of School Water Usage discussion and direction to staff

Chief Hope greeted everyone and had one item on the agenda for discussion and staff direction on the end of year Navajo and volunteer firefighter departments spraying water for kids at the schools. There was question of use of water and is there a concern or issue with this. Chief Hope stated there was none in his perspective; he has also met with Byron and he has no issue. Councilor Moreau stated that it's a good way for children to be around first responders and is positive. Councilor Youtsey stated that the discussion is to be sure Council is on the same page if they get questioned to be able to say they have discussed this and it is a good idea to proceed as they would have.

- 2) \*Stats

Chief Hope stated that stats are in the packet and have had a bit of an increase in the last few months and a little lower than the last trends over the last few years. Chief Hope then stood for questions.

Mayor Henry asked Chief Hope what he is hearing from the State on fireworks for the City. Chief hope replied that it is going to be a big deal because of the drought and that most years have been restricted with certain fireworks. Chief Hope also stated that it is standing and will probably be on the next agenda.

**Community Development**

- A. \*Stats

Community Development Director Jim McGuire greeted the Mayor and Council then presented stats stating it has been good on permit fees that have come in. In addition, the continuation of contractors building in West Acres & Stonegate and the big one at Navajo Refinery and the construction of a new building that a lot of fees were received. Jim then stood for questions.

**Infrastructure**

Byron greeted the Mayor and Council and gave a couple of updates, starting June 1<sup>st</sup> will have a notice to proceed on 20<sup>th</sup> Street. Also, stating that we are out for bid on the elevated tank that will have to be recoated. As soon as the budget is resolved, Industrial Park will be going. Byron then stood for questions.

**City Attorney**

None.

**City Clerk**

A. \*Audit report for FY21

City Clerk/Treasurer Summer Valverde greeted the Mayor, Council and stated that she does not have anything before them tonight. Summer then stated she wanted to give a couple of updates for the Senior Center and that Caryle Goss the COA Supervisor is here if there are any questions. Dances and out of town trips have been discussed and Caryle is in the process of looking for bands to start up next month and they are looking forward to getting back to normal.

Summer then stated that the Library is looking for another librarian to have somebody to get the summer reading program going. Summer then stood for questions.

**Mayor**

A. \*Consideration and approval of Agreement for Modification of JPA (A-11-02) City of Artesia – Eddy County Joint Powers Agreement Governing the Regional Emergency Dispatch Authority (REDA)

Mayor Henry went over consideration and approval of Agreement for Modification of JPA City of Artesia – Eddy County Joint Powers Agreement Governing the Regional Emergency Dispatch Authority (REDA) and in full disclosure will pass over to Mayor Pro Tem Youtsey as the Mayor is chairman of REDA as well in the County Commissioner which they have voted on this once. Summer stated that they had budget discussions in REDA last month which they approached with increases in salaries, the initial plan given, we were not okay with accepting at that moment. They had a renegotiation with the County Manager and did some changes on that proposal which gave them as increase that was agreed on. Summer then spoke on the County Manager stating that he understands that the City is facing some increases and not necessarily able to do because of our GRT. In addition, that the County Manager would go to the County Commission and ask if they could temporarily put more money toward the REDA contribution over a two- year period It was offered because they are doing well in their GRT's and would support their partners as well as REDA and was approved. It would change our contribution to where we would make a

contribution of \$38,000 less in our budget this first year that helps tremendously. City Attorney Jay Francis stated that it is a two-year amendment and can be revisited in two years.

Mayor Pro Tem Youtsey stated that he would accept a motion to pass the Joint Powers Agreement between Eddy County the City of Artesia for REDA the Emergency Dispatch Authority.

Councilor Moreau made a motion to pass Resolution – 1786 Joint Powers Agreement between Eddy County the City of Artesia for REDA the Emergency Dispatch Authority. Second by Councilor Hagelstein and upon rollcall vote, the motion passed 6-0.

### **RESOLUTION – 1786**

- B. Executive session: In accordance with the State of New Mexico Open Meetings Act, Section 10-15-1-(H)(7)(8)

5:41 p.m. Councilor Moreau made a motion to go into executive session In accordance with the State of New Mexico Open Meetings Act, Section 10-15-1-(H)(7)(8). Second by Councilor Hagelstein and upon rollcall vote, the motion passed 6-0.

1. Potential litigation
2. Sale of real property

- C. Action as a result of executive session

5:56 p.m. Councilor Moreau made a motion to come out of executive session with no action taken. Second by Councilor Hagelstein and upon rollcall vote, the motion passed 6-0.

### **New or other business from Councilors**

None.

### **Adjournment**

There being no further business, the meeting was adjourned at 6:05 P.M. On May 10, 2022.

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Jon Henry, Mayor

ATTEST:

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Summer Valverde - City Clerk/Treasurer

**MINUTES OF CITY SPECIAL COUNCIL MEETING  
ARTESIA, NEW MEXICO  
May 17, 2022**

The City Council of the City of Artesia, New Mexico met at the Public Safety Complex, at 3300 W. Main St, Artesia New Mexico on Tuesday, May 17, 2022 at 4:30 p.m. in special session with Mayor Henry presiding, and the following present to wit:

Jeff Youtsey	Jarrold Moreau
Sam Hagelstein	Ignacio Mariscal
George Mullen	Wade Nelson

Also, present:

Summer Valverde, City Clerk/Treasurer

Absent:

Councilor Rodriguez

Councilor Townley

**Determination as to whether quorum present**

Mayor Henry determined that a quorum was present.

**Opening remarks**

Mayor Henry stated that he would like to have a motion to make an amendment to move Item # 5 to 4.

Councilor Moreau made a motion to move Item # 5 to number 4 on the list. Second by Councilor Hagelstein and upon vote, the motion passed 6-0.

**Budget Presentation:**

Summer Valverde, City Clerk/Treasurer greeted and thanked everyone and then went over the budget presentation Interim budget summary, providing budget books, a list of capital request and budget listing . The first item was salary changes for police & fire figures that is already in the budget.

**Resolutions to approve**

A. Approval of a resolution for the Consideration and Approval of an Amended Classification plan to include a step plan for the Police & Fire

B. Approval of a resolution for the Consideration and Approval of the Interim Budget

Summer then presented consideration and approval of Resolution – 1788 to amend the City of Artesia Classification Plan to include a step category for Police & Fire.

Chief Hope stated this is a great plan and a huge step to be competitive within the market.

Mayor Henry asked for a motion for consideration and approval of Resolution – 1788 to approve and amend the classification to include a step plan for the Police and Fire department.

Councilor Nelson made a motion to approve Resolution – 1788, the Amended Classification Plan to include a step plan for Police & Fire. Second by Councilor Mullen and upon vote, the motion passed 6-0.

### **RESOLUTION – 1788**

Summer then presented Resolution – 1787 to Approve the FY 2022-2023 Interim Budget.

Mayor Henry asked if there were any questions on the Interim budget. Mayor Pro Tem Youtsey asked that once the Interim budget is received back from the State if we will have another meeting similar to this to talk about where we all are comfortable as a reserve. Summer stated the next step is to approve a final budget that will include up to date numbers of what the actual reserves are. Summer then stated that she will send the Interim Budget at the end of May or June 1<sup>st</sup> to DFA and then it will come back to us to make final changes to go back to them. Then a resolution will have to be done for a final budget. Mayor Henry asked if there were any questions, thoughts or concerns.

Councilor Hagelstein made a motion to approve Resolution – 1787 to approve the FY 2022-2023 Interim Budget. Second by Councilor Moreau and upon vote, the motion passed 6-0.

### **RESOLUTION - 1787**

### **Comments from Participants**

Each meeting participant expressed their opinion on the Special City Council Meeting Budget Overview and were thankful for the opportunity to hear the presentation as well as the discussions on the possibilities for the upcoming year. In addition, stating that this was one of the most inclusive and informative budget presentations they have had.

### **Adjournment**

There being no further business, the meeting was adjourned at 5:39 P.M. On May 17, 2022.

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Jon Henry, Mayor

ATTEST:



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Summer Valverde - City Clerk/Treasurer



Recd 5/16/22  
Jaw

May 9, 2022

Stuart R. Butzier  
505.983.2020  
Fax: 505.988.8996  
sbutzier@modrall.com

**Via Electronic Mail**

Jon Henry, Mayor of Artesia  
c/o Mr. Jim McGuire, Director  
PO Box 1310  
Artesia, NM 88211  
[JMcguire@artesianm.gov](mailto:JMcguire@artesianm.gov)

Re: Representation of the City of Artesia

Dear Mayor Henry:

I am pleased Mr. McGuire has asked the firm to represent the City of Artesia in connection with your dealings with the New Mexico Environment Department. This letter will confirm our discussion regarding that engagement and will describe the basis on which our firm will provide legal services.

I submit for your approval the following provisions governing our engagement. If you have any questions about these provisions, or if you would like to discuss possible modifications, do not hesitate to call.

**Client; Scope of Representation.** The City of Artesia will be our client in this matter. We have been engaged to advise The City of Artesia in connection with monitoring well issues and New Mexico's Voluntary Remediation Program.

**Staffing.** I will have oversight responsibility for this representation, possibly with assistance from one of our associates, Tessa Chrisman, and will serve as the billing attorney for the matter. We may utilize other firm lawyers and legal assistants as appropriate in the circumstances. We will provide legal counsel to you in accordance with this letter, in coordination with other outside counsel and consultants, and in reliance upon information and guidance provided by you, to keep you reasonably informed of progress and developments, and to respond to your inquiries.

**Terms of Engagement.** You or this firm may terminate the engagement at any time for any reason by written notice, subject on our part to applicable rules of professional conduct. In the event that we terminate the engagement, we will take such steps as are reasonably practicable to protect your interests in the above matter.

Modrall Sperling  
Roehl Harris & Sisk P.A.

123 E. Marcy St.  
Suite 201  
Santa Fe,  
New Mexico 87501

PO Box 9318  
Santa Fe,  
New Mexico 87504-9318

Tel: 505.983.2020  
[www.modrall.com](http://www.modrall.com)

**Conclusion of Representation; Retention and Disposition of Documents.** Unless previously terminated, our representation of the City of Artesia will terminate upon our sending you our final statement for services rendered in this matter. Following such termination, any otherwise nonpublic information you have supplied to us which is retained by us will be kept confidential in accordance with applicable rules of professional conduct. At your request, your papers and property will be returned to you promptly upon receipt of payment for outstanding fees and costs. Our own files pertaining to the matter will be retained by the firm. These firm files include, for example, firm administrative records, time and expense reports, personnel and staffing materials, credit and accounting records, internal lawyers' work product such as drafts, notes, internal memoranda, and legal and factual research, including investigative reports, prepared by or for the internal use of lawyers. All such documents retained by the firm will be transferred to the person responsible for administering our records retention program. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to destroy or otherwise dispose of any such documents or other materials retained by us within a reasonable time after the termination of the engagement.

**Post-Engagement Matters.** You are engaging the firm to provide legal services in connection with a specific matter. After completion of the matter, changes may occur in the applicable laws or regulations that could have an impact upon your future rights and liabilities. Unless you engage us after completion of the matter to provide additional advice on issues arising from the matter, the firm has no continuing obligation to advise you with respect to future legal developments.

**Fees and Expenses.** We have agreed to cap our fees and expenses at \$20,000.00 without further authorization. Our fees will be based on the billing rate for each attorney and legal assistant devoting time to this matter. Our hourly billing rates for this representation are reflected in the table below:

ATTORNEY	RATE
Stuart R. Butzier	\$410
Tessa Chrisman	\$220

These billing rates are subject to change from time to time, although I will confer with you before increasing them, but that would not occur anytime before 2023.

**Taxes, Cost and Expenses.** We will include on our statements separate charges for gross receipts tax and for performing services such as photocopying, messenger and delivery service, computerized research, travel, long-distance telephone and telecopy, word processing, and search and filing fees. Fees and

City of Artesia  
May 9, 2022  
Page 3

expenses of others (such as consultants, appraisers, and experts) generally will not be paid by us, but will be billed directly to you. Statements normally will be rendered monthly for work performed and expenses recorded on our books during the previous month. The fees and costs relating to this matter are not predictable.

**Conflicts.** A search of our files indicates that we do not represent any interest that is adverse to you. For completeness, we searched our files for the following names: City of Artesia, Artesia Public Schools, Artesia Chamber of Commerce, New Mexico Environment Department, Environmental Protection Agency, All-American Cleaners, Wardrobe Cleaners, Artesia Laundry & Cleaners, ABO Cleaners, Snow White Laundry, Hoffman's Holiday Laundry, Carol's Cleaners, Speed Clean, Pampered Threads, Vogue Cleaners, Bell Gas Inc., Furrh Conoco Service Station, Greer Chevron Service Station, Jim's Deep Rock Gas Station, Fina Gas Station and Store, Turner's Lawn Mower Shop, Inman's Repair Shop, Flare Drive In, R.L. Polk & Company, Carolyn Grubbs, Gary Harrell, Doris Jackson, Karalee, LLC, Starbucks Coffee Company and Atkins Engineering. As this matter proceeds, we may need to conduct additional conflicts reviews. Please advise me if there are any other involved or potentially adverse persons, organizations, businesses, or other related persons or entities that may be involved with or affected by this matter.

Once again, we are pleased to have this opportunity to work with you. Please call me if you have any questions or comments during the course of our representation.

Very truly yours,



Stuart R. Butzier





City of Artesia  
Position Hiring Process Review

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**Position:** Librarian

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**Posting:** ☒ Internal ☒ External

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**Newspaper Advertising**

☐ Artesia Daily Press ☐ Roswell Daily Record ☐ Carlsbad Current Argus  
☐ Albuquerque Journal ☐ New Mexico Press ☐ Other (please list)

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**Other Recruiting** ☒ City Website ☒ Other (please list) Indeed.com

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**Applications:** Total Applicants: 10 Internal Applicants: 0 External Applicants: 10

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**Interview:** Total Interviews: 2 Internal Applicants: 0 External Applicants: 2

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**Pay Scale:** Requested Starting Salary \$3689 per month CA29

Within Current Pay Scale? Yes ☒ No ☐  
(if no please explain)

Above Entry Step: Yes ☒ No ☐  
(if yes please explain)

\*20 years library experience



City of Artesia  
Position Hiring Process Review

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**Position:** Solid Waste – Equipment Operator I

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**Posting:** ☒ Internal ☒ External

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**Newspaper Advertising**

☐ Artesia Daily Press ☐ Roswell Daily Record ☐ Carlsbad Current Argus  
☐ Albuquerque Journal ☐ New Mexico Press ☐ Other (please list)

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**Other Recruiting** ☒ City Website ☒ Other (please list) Indeed.com

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**Applications:** Total Applicants: 1 Internal Applicants: 0 External Applicants: 1

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**Interview:** Total Interviews: 1 Internal Applicants: 0 External Applicants: 1

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**Pay Scale:** Requested Starting Salary \$2507 per month CA22

Within Current Pay Scale? Yes ☒ No ☐  
(if no please explain)

Above Entry Step: Yes ☐ No ☒  
(if yes please explain)

City of Artesia  
Position Hiring Process Review

**Position:**      **Apprentice Mechanic**

Posting: ☒ Internal ☐ External

## Newspaper Advertising

☐ Artesia Daily Press      ☐ Roswell Daily Record      ☐ Carlsbad Current Argus

☐ Albuquerque Journal      ☐ New Mexico Press      ☐ Other (please list)

**Other Recruiting** ☒ City Website ☒ Other (please list) Indeed.com

**Applications:** Total Applicants: 3 Internal Applicants: 0 External Applicants: 3

**Interview:** Total Interviews: 2 Internal Applicants: 0 External Applicants: 2

**Pay Scale:** Requested Starting Salary **\$2271 per month CA18**

Within Current Pay Scale? ☒ Yes ☐ No  
(if no please explain)

Above Entry Step:      Yes      No  
☐      ☒  
 (\*if yes please explain)

## **RESOLUTION 1789**

### **A RESOLUTION AUTHORIZING ADOPTING FLSA STANDARDS AND REPORTING OF HOURS OF WORK TO PERA FOR SWORN POLICE PERSONNEL RESCINDING RESOLUTION 1609**

**WHEREAS**, the Public Employees Retirement Act, NMSA 1978, Sections 10-11-1, et seq. (2003) establishes the Public Employees Retirement Association and authorizes Municipal participation; and,

**WHEREAS**, the hours of Public Safety/Police personnel are reported to PERA on a pay week basis; and,

**WHEREAS**, the current method of reporting is on a 14-day 86 hours according to Federal Fair Labor Standards Act (FLSA), per workweek basis; and,

**WHEREAS**, this method results in a disparity when it comes to competition for recruitment and retention; and,

**WHEREAS**, the FLSA allows for reporting such hours on a 14-day 80 hours period basis;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARTESIA:**

Make effective with the pay period starting May 29, 2022, the payment and reporting to PERA of hours worked for Public Safety/Police sworn personnel, shall be done on 14-day 80 hours in the workweek period, in full compliance with FLSA rescinding Resolution 1609.

**PASSED, ADOPTED, and APPROVED this 24th day of May 2022 in regular session by the Governing Body of the City of Artesia.**

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Jonathan Henry, Mayor

ATTEST:

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Summer Valverde, City Clerk/Treasurer



DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
Municipal Court	General Fund	SANDERS BRUIN COLL & WORLEY	ATTORNEY FEES	2,695.83
		PTS OFFICE SYSTEMS, INC.	4002I	232.24
		PVT (PENASCO VALLEY TELECOMMUNICATIONS	MUNTY	252.68
			TOTAL:	3,180.75
Finance & Admin	General Fund	NEW MEXICO GAS COMPANY	611 W MISSOURI AVE	22.00
		PTS OFFICE SYSTEMS, INC.	4052	232.24
			4002I	232.24
		ARTESIA SOFT WATER	BOTTLED WATER DELIVERED	89.19
		CENTRAL VALLEY ELECTRIC	Electric-2 Yard Lights	19.14
		CENTURYLINK	CITY HALL FAX	212.87
			TOTAL:	807.68
Street Dep	General Fund	NEW MEXICO GAS COMPANY	15 E COMPRESS RD	208.43
		TRI GEN WEEDICATORS LLC	WEED SPRAYING	2,543.00
		SIGN AND SAFETY SUPPLY	BARRICADES TO REDIRECT TRA	5,500.00
			HARDWARE FOR INSTALLATION	1,186.90
			CONSTRUCTION WORK SIGNAGE	2,698.72
		PTS OFFICE SYSTEMS, INC.	4002I	232.24
			4052	232.25
		TERRA HAVEN LANDSCAPING & MAINTENANCE	MLK & JC PARK VOLLEYBALL C	3,000.00
			EAGLE DRAW SPRINKLER REPAI	3,500.00
			PARK CLEANUP	500.00
			CENTRAL PARK SERVICE	4,900.00
			MENS SOFTBALL COMPLEX	4,900.00
			SPRINKLER REPAIRS	1,500.00
			CITY HALL SERVICE	500.00
			AQUATIC CENTER SERVICE	1,500.00
		ARTESIA BUILDING SUPPLY	ROACH RAID DRILL BIT	29.27
			PAINT SUPPLIES	10.07
			BARRICADE TRENCHES & HOLES	71.49
			ANT KILL & BAIT USED IN AL	67.25
			PAINT SUPPLIES	12.22
			MASKS FOR MOWING OIL FOR M	31.45
		CENTRAL VALLEY ELECTRIC	7 HPS Street lights	80.85
			Electric-Traffic Lts Walma	58.84
			Electric-Nine Street Light	220.23
			Electric-Traffic Lts 26th&	52.86
			Electric-Street light #2-2	23.90
			Electric-Street light #3-2	23.90
			Electric-Street light #4-2	23.90
			Electric-Street light #5-2	23.90
			Electric-Street light #6-2	23.90
			Electric-Street light #7-2	23.90
			Electric-Street light #8-2	23.90
			Electric-Street light #9-2	23.90
			Electric-Street light 10-2	23.90
			Electric-Street light 11-2	23.90
			Electric-Street light 12-2	23.90
			Electric-Street light 13-2	23.90
			Electric-Street light 14-2	23.90
		CONSOLIDATED ELECTRICAL D	SUPPLIES	412.01
			SUPPLIES	65.11
			RECEPTACLES & WALLPLATES	168.52
		DEANS INC	TECH & EQUIP	279.45
		GRAINGER INDUSTRIAL SUPPL	RIGID CAN LINER	172.53

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		PECOS VALLEY PUMP, INC	JC GIRLS PRACTICE FIELDS	88.69
		TEXAS INDUSTRIAL SERVICES	UNIFORMS	73.44
			UNIFORMS	111.86
			UNIFORMS	73.44
		WATERMASTER IRRIGATION SU	REPLACE SEIZED VALVE JC PA	2,385.58
		WESSON ELECTRIC	ELECTRICAL & LIGHTING	4,657.00
			TOTAL:	42,334.40
Police	General Fund	PILOT THOMAS LOGISTICS LLC	6 J IMAI80502	217.74
			7 J LETCHER80504	84.61
			9 L HORRELL82002	254.77
			19 DAVID RODRIGUEZ	71.89
			30 LARSEN, CHRIS	92.23
			33 PEREZ, JONATHON	72.62
			37 LONGWAY, CHANTEL	243.80
			52 BAILEY, DAVID	251.86
			76 GONZALES, BARNABAS	140.81
			89 HEADY, ANTHONY	155.28
			112 HERRERA, JAMES	280.82
			118 CHAVEZ, RIGO	58.58
			130 MARTINEZ, MATTHEW	146.86
			131 ACOSTA, JAROD	168.92
			132 DURAN, JOVAL	228.58
			134 MINTER, JAMES	322.88
			136 CARDONA LORENZE	577.38
			138 RIPLEY, DILLON	401.21
			139 ANAYA, XAVIER	252.15
			141 CONTRERAS, JAMES	423.68
			142 RODRIGUEZ RYAN	301.58
			143 DEVORE, STEPHEN	237.91
			144 FODGE JOSHUA	33.00
		CENTURYLINK	POLE RENTAL	242.76
		PTS OFFICE SYSTEMS, INC.	4052	232.24
			4002I	232.24
			4002I	232.24
			4002I	232.24
		BLAINE INDUSTRIAL SUPPLY	SUPPLIES	290.01
		CENTRAL VALLEY ELECTRIC	Electric-Wastewater Plant	41.72
			Electric-Law Enforcement C	6,225.47
			Electric-Animal Shelter	596.78
			Electric-helipad	57.80
		CENTURYLINK	ANIMAL SHELTER	137.03
			NO EDDY CNTY CRMESTPPRS	53.18
		SOUTHWEST BODY & TOWING I	NGW426	175.97
			TOTAL:	13,768.84
ire	General Fund	PILOT THOMAS LOGISTICS LLC	FIRE	3,155.67
		PTS OFFICE SYSTEMS, INC.	4052	232.25
		TRITECH SOFTWARE SYSTEMS	AMBULANCE	636.76
			TOTAL:	4,024.68
rtesia Center	General Fund	PILOT THOMAS LOGISTICS LLC	ARTESIA CENTER	82.78
		PTS OFFICE SYSTEMS, INC.	4002I	232.24
		PVT (PENASCO VALLEY TELECOMMUNICATIONS	ARTESIA CENTER	465.74
		CENTURYLINK	ARTESIA CENTER	68.84
		STARR JANITORIAL	SUPPLIES	133.96

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			TOTAL:	983.56
Commission on Aging	General Fund	PILOT THOMAS LOGISTICS LLC	COMM ON AGING	360.22
		PTS OFFICE SYSTEMS, INC.	4002I	232.24
		CENTURYLINK	COMM ON AGING FAX	64.77
			TOTAL:	657.23
Library	General Fund	BLACKSTONE PUBLISHING	LIBRARY CD	80.00
		NEW MEXICO GAS COMPANY	205 W QUAY AVE	405.94
		MICHAEL FREDERICK	BOOKS	30.00
		JUDITH PANCOAST	LIBRARY MUSICAL PROG 6/23/	250.00
		INGRAM LIBRARY SERVICES, INC.	LIBRARY	665.68
			BOOKS	208.64
		PTS OFFICE SYSTEMS, INC.	XC4140	0.00
			XM7263	0.00
			3252CI	232.24
		GALE/CENGAGE LEARNING	LIBRARY BOOKS	58.26
		CENTURYLINK	LIBRARY ALARM LINE	68.52
			ARTESIA PUBLIC LIBRARY	281.30
		TEXAS INDUSTRIAL SERVICES	SUPPLIES	59.43
			TOTAL:	2,340.01
Museum	General Fund	NEW MEXICO GAS COMPANY	503 W RICHARDSON AVE	36.92
		PTS OFFICE SYSTEMS, INC.	TA3252	232.25
		CENTURYLINK	HISTORICAL MUSEUM	74.85
			MUSEUM ANNEX	152.17
			TOTAL:	496.19
Garage	General Fund	TEXAS INDUSTRIAL SERVICES	UNIFORMS	50.68
			UNIFORMS	50.68
			UNIFORMS	50.68
			UNIFORMS	50.68
			TOTAL:	202.72
Planning	General Fund	PILOT THOMAS LOGISTICS LLC	PLANNING	166.86
			TOTAL:	166.86
Personnel	General Fund	PILOT THOMAS LOGISTICS LLC	HR DEPT	185.58
		DELL MARKETING L.P.	SERVICE CHARGES	1,083.11
		MODRALL, SPERLING, ROEHL,	LEGAL SERVICES	1,294.50
			TOTAL:	2,563.19
Facility Maintenance	General Fund	ADVANTAGE HEATING & COOLING LLC	TRANSFER STATION-GUARD SHA	402.98
			ANIMAL SHELTER	107.89
		COATS PLUMBING	WATER SOFTENER SERVICE	50.17
			WATER SOFTENER SERVICE	61.77
			WATER SOFTENER SERVICE	61.77
			WATER SOFTENER SERVICE	50.17
			WATER SOFTENER SERVICE SAL	251.94
			WATER SOFTENER SERVICE	26.97
			WATER SOFTENER SERVICE	26.97
			WATER SOFTENER SERVICE	26.97
		CENTRAL VALLEY ELECTRIC	Electric-Roberts Park Plug	25.00
			Electric-Roberts Park Ligh	113.07
			Electric - 7 streetlights	89.32
			Electric-Eagle Parkway (Cl	77.63

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			Electric-Street Light	12.76
			Electric- York & West Ave	11.55
			Electric- 26th & West Ave	0.00
			Electric- Centennial & JJ	11.55
		GRAINGER INDUSTRIAL SUPPL	BOOKLETS	18.22
			DVD TRAINING PROGRAM	495.16
			MULTI-GAS DETECTOR,CONF SP	1,858.50
			TOTAL:	3,780.36
Municipal Court Fees D	Municipal Court Fe	INS. OF PUBLIC LAW/JUDICIAL EDUCATION	MNCPL CRT MONTHLY FEE REPO	151.00
		STATE OF NM ENVIRONMENT DEPT	FOOD RETAIL PERMIT RENEWAL	200.00
		NM ADMINISTRATIVE OFFICE	MNCPL CRT MONTHLY FEE REPO	285.00
			TOTAL:	636.00
Recreation Dept	Recreation Fund	JOHNSON CONTROLS	SERVICE FOR ERROR MSG POOL	6,032.09
		ARTESIA BUILDING SUPPLY	HARDWARE SUPPLIES	49.43
		ALK INC	SERVICE CALL/INSTALLATION	269.74
		CENTRAL VALLEY ELECTRIC	Electric- 711 Bowman Dr (s	7,001.91
			TOTAL:	13,353.17
Wastewater Dept	Waste Water Fund	PILOT THOMAS LOGISTICS LLC	WASTEWATER	480.83
		CENTRAL VALLEY ELECTRIC	Electric-Electronic Valve	41.43
			Electric-Wastewater Office	161.10
			Electric-Temp Office-Waste	32.50
			Electric-Waste Disposal Pl	11,119.26
		CENTURYLINK	WASTEWATER PLANT	2.45
			WASTE WATER PLANT	220.85
			TOTAL:	12,058.42
Solid Waste Dept	Solid Waste Fund	IDALIS CONSTRUCTION	CONCRETE WORK DRIVEWAY	21,500.40
		PILOT THOMAS LOGISTICS LLC	SOLID WASTE	91.80
		PTS OFFICE SYSTEMS, INC.	4002I	232.24
		PILOT THOMAS LOGISTICS, LLC (BULK FUEL	ULSD #2 CLEAR	1,970.76
		CENTRAL VALLEY ELECTRIC	Electric-Waste Transfer Sh	129.35
		CENTURYLINK	TRANSFER STATION	66.29
		SHERWIN WILLIAMS CO	FM-5 GAL TWILIGHT GRAY	208.85
			SHERWIN WILLIAMS CO	233.72
			TOTAL:	24,433.41
Water Dept	Water Fund	SOUTHEAST READI-MIX PRODUCTS INC.	CONCRETE SAND	180.03
			LEAN FILL & FEES	191.90
		BAKER UTILITY SUPPLY	NS DFW 18" BLK PLSTC MTR B	1,050.00
			NR BRASS CURB BALL STOP	3,720.00
			MJ X MJ KI REDUCER	250.00
			NS DFW 18" BLK PLSTC MTR B	5,430.00
			BRASS STRAIGHT CPLG	26.64
			BRASS CURB BALL STOP	2,975.00
		PILOT THOMAS LOGISTICS LLC	GARAGE	203.41
			WATER	627.39
			INFRASTRUCTURE	70.30
		CENTRAL VALLEY ELECTRIC	Electric-Water Reservoir	40.65
			Electric Lift Station (FLE	62.56
			Electric-Ind Park Lift St/	50.18
			Electric-Waste Transfer St	517.01
			Electric-Restidntl 16858 I	36.50
			Electric-Office 15 E Compr	1,038.24

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			Electric-City Water Well-	7,934.44
			Electric-North City Water	2,559.14
			Electric- Truck Wash Compr	576.03
			Electric- Elevated Tanks P	2,332.92
			Electric-Transfer Station	66.07
		DEANS INC	FRESH WATER SYSTEM	539.48
		PECOS VALLEY PUMP, INC	17 ACRES WELL	88,641.73
		TEXAS INDUSTRIAL SERVICES	UNIFORMS	150.97
			UNIFORMS	150.97
			TEXAS INDUSTRIAL SERVICES	177.24
			UNIFORMS	150.97
			TOTAL:	119,749.77
Airport Dept	Airport Fund	PILOT THOMAS LOGISTICS LLC	AIRPORT	66.08
		ASCENT AVIATION GROUP, INC.	JET FUEL	41,004.74
		CENTRAL VALLEY ELECTRIC	Electric-Airport A W O Sta	60.31
			Electric-8yd Lights	76.56
			Electric-Gate #2/1 4081 2	33.72
			Electric-South Landing Lig	45.32
			GATE #1 104495	33.54
			Electric- Yard light	9.57
			Electric-Gate #3/1 4136 2	33.45
			Electric-3YD Lights	28.71
			Electric-Compressor (airpor	43.16
			Electric-Yd Light	9.57
			Electric-Plazi Lights (airp	42.89
			Electric-Airport Term & Li	333.49
			Electric-Airport Term & Ru	28.71
			Electric-North Landing Lig	37.79
		CENTURYLINK	NM AVIATION DIVISION	117.88
			MUNICIPAL AIRPORT	64.77
			TOTAL:	42,070.26
Cemetery Dept	Cemetery Fund	PILOT THOMAS LOGISTICS LLC	CEMETARY	122.36
		PILOT THOMAS LOGISTICS, LLC (BULK FUEL	ULSD #2 CLEAR	1,103.16
		CENTURYLINK	WOODBINE CEMETARY	69.89
			TOTAL:	1,295.41
Court Test Dept	Court Test Fund	NM ADMINISTRATIVE OFFICE	MNCPL CRT MONTHLY FEE REPO	253.00
			MNCPL CRT MONTHLY FEE REPO	184.00
			TOTAL:	437.00
Meter Fund Dept	Meter Fund	CITY OF ARTESIA/CITY FUND	CITY OF ARTESIA/CITY FUND	1,010.92
			TOTAL:	1,010.92

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
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===== FUND TOTALS =====

101	General Fund	75,306.47
201	Municipal Court Fees Fund	636.00
217	Recreation Fund	13,353.17
503	Waste Water Fund	12,058.42
504	Solid Waste Fund	24,433.41
505	Water Fund	119,749.77
507	Airport Fund	42,070.26
510	Cemetery Fund	1,295.41
704	Court Test Fund	437.00
705	Meter Fund	1,010.92

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GRAND TOTAL:            290,350.83  
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## SELECTION CRITERIA

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SELECTION OPTIONS

VENDOR SET: 01-City of Artesia  
VENDOR: All  
CLASSIFICATION: All  
BANK CODE: All  
ITEM DATE: 5/19/2022 THRU 5/24/2022  
ITEM AMOUNT: 99,999,999.00CR THRU 99,999,999.00  
GL POST DATE: 0/00/0000 THRU 99/99/9999  
CHECK DATE: 0/00/0000 THRU 99/99/9999

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PAYROLL SELECTION

PAYROLL EXPENSES: NO  
EXPENSE TYPE: N/A  
CHECK DATE: 0/00/0000 THRU 99/99/9999

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PRINT OPTIONS

PRINT DATE: None  
SEQUENCE: By Department  
DESCRIPTION: Distribution  
GL ACCTS: NO  
REPORT TITLE: C O U N C I L   R E P O R T  
SIGNATURE LINES: 0

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PACKET OPTIONS

INCLUDE REFUNDS: NO  
INCLUDE OPEN ITEM:NO

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**RESOLUTION 1790**

**A RESOLUTION AMENDING THE CLASSIFICATION PLAN TO CHANGE  
CERTAIN JOB TITLES**

**WHEREAS**, the City of Artesia, New Mexico has determined a change in certain job titles would aid in redundancy throughout the classification plan; and,

**WHEREAS**, the labor market and prevailing wage is constantly changing and these require periodic adjustments to the position classification schedule, and

**WHEREAS**, the current Position Classification Plan for the City of Artesia was adopted May 17, 2022,

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY** of the City of Artesia, New Mexico that the City Council amends the Position Classification Plan to change certain job titles as listed in the attached classification plan.

**PASSED, ADOPTED, and APPROVED** this 24th day of May 2022.

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Jonathan Henry, Mayor

ATTEST:

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Summer Valverde, City Clerk/Treasurer



**CITY OF ARTESIA  
AGENDA ITEM ABSTRACT**

**Regular City Council Meeting  
Meeting Date: 5/24/2022**

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**ACTION REQUESTED:**

Consideration and approval to make effective 3% salary increases for all departments except Fire and Police June 1, 2022.

**BACKGROUND:**

**Initiated by: Jerry Conde**

During the special council meeting to review and approve the interim budget, 3% salary increases for all departments except Police and Fire were approved eff July 1, 2022. Police and Fire had a separate salary increase and classification plan approved June 1, 2022. The council wanted to make effective all increases June 1, therefore a separate motion and approval was needed for all other departments.

**FINANCIAL CONSIDERATION:**

At this time the General Fund has enough budget authority to pay increases. If a budget increase is needed at a later time, it will be done with the final budget resolution and adjustments.

**LEGAL REVIEW:**

Not required.

**BOARD AND COMMITTEE ACTION:**

N/A

**STAFF RECOMMENDATION:**

Consideration and approval to make effective 3% salary increases for all departments except Fire and Police June 1, 2022.

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**ATTACHMENTS**

CITY OF ARTESIA, NEW MEXICO  
RESOLUTION NO. 1791

PROCLAMATIONS OF THE CITY OF ARTESIA ("CITY") DECLARING EXTREME OR SEVERE DROUGHT CONDITIONS WITHIN THE BOUNDARIES OF THE CITY AND RESTRICTING THE SALE AND USE OF FIREWORKS WITHIN THE CITY OF ARTESIA

WHEREAS, the 1999 amendments to the Fireworks Licensing and Safety Act, NMSA 1978 §§60-2C-1 through 60-2C-11 authorize governing bodies of Municipalities to limit and restrict the sale and use of fireworks within the boundaries of the City under various circumstances; and

WHEREAS, §60-2C-8.1 A. of said Act authorizes the governing body of a City to hold a hearing to determine if fireworks restrictions should be imposed within the boundaries of the City affected by extreme or severe drought conditions, with the findings of the governing body to be based on current drought indices published by the national weather service and any other relevant information supplied by the U.S. Forest Service; and

WHEREAS, pursuant to §60-2C-8.1 B. of said act, the governing body of a City shall issue a proclamation declaring extreme or severe drought conditions within the boundaries of the City if the governing body determines such conditions exist; and

WHEREAS, pursuant to §60-2C-8.1 B. the governing body has the authority within such proclamation to ban the sale or use of various classes of fireworks within the boundaries of the City if the governing body determines extreme or severe drought conditions exist within the boundaries of the City; and

WHEREAS, the City of Artesia has determined and found that extreme or severe drought conditions do exist within the boundaries of the City of Artesia, with such findings being based on current drought indices published by the national weather service and relevant information supplied by the U.S. Forest Service;

NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED BY THE GOVERNING BODY OF THE CITY OF ARTESIA:

1. The City of Artesia hereby Proclaims and Declares that a condition of extreme or severe drought exists in the boundaries of the City of Artesia.
2. By reason of the foregoing extreme or severe drought conditions in the boundaries of the City of Artesia, and pursuant to NMSA 1978 §§60-2C-8.1 B., the Governing Body of the City of Artesia hereby adopts the following:
  - 2.1 THE SALE AND USE OF CERTAIN FIREWORKS PROHIBITED. The sale and/or use within the boundaries of the City of Artesia of missile-type rockets, helicopters, aerial spinners, stick-type rockets and ground audible devices is PROHIBITED.
  - 2.2 RESTRICTIONS ON USE OF CERTAIN FIREWORKS. The use of any other permitted fireworks not listed in the foregoing section 2.1 is hereby RESTRICTED to areas within the boundaries of the City of Artesia that are paved or barren or that have a readily accessible source of water for use by the homeowner or general public.
  - 2.3 DISPLAY FIREWORKS. The sale or use of means devices primarily intended for commercial displays that are designed to produce visible or audible effects by combustion, deflagration or detonation, including salutes containing more than one hundred thirty milligrams of explosive composition; aerial shells containing more than forty grams of chemical composition exclusive of life charge; and other exhibition display items that exceed the limits for permissible fireworks within the boundaries of the City of Artesia is

not being restricted by this Proclamation, provided all requirements of the Fireworks Licensing and Safety Act, NMSA 1978 §§60-2C-1 through 60-2C-11 governing same are fully and strictly followed.

3. This Proclamation shall be effective for thirty days (30) from the date hereof, however, the Governing Body of the municipality may issue succeeding proclamations if extreme or severe drought conditions warrant.
4. This Proclamation may be modified or rescinded within its thirty-day (30) period by the Governing Body of the municipality upon conducting an emergency hearing to determine if weather conditions have improved.
5. If any section, subsection, sentence, paragraph, clause, word or provision of this Proclamation shall, for any reason, be held to be unconstitutional by a court of competent jurisdiction, such section, subsection, sentence, paragraph clause, word or provision shall not invalidate the constitutionality of the remaining portions of this ordinance.
6. Any individual, firm, partnership or corporation that violates any provision hereof, shall be subject to the criminal penalty as set out in §60-2C-10 and/or civil penalty as set out in §60-2C-11 NMSA 1978 Comp., and as may be amended.

PASSED AND ADOPTED this 24th day of May 2022.

THE CITY OF ARTESIA, NEW MEXICO

By: \_\_\_\_\_  
Jon Henry, Mayor

ATTEST:

\_\_\_\_\_  
Summer Valverde, City Clerk

**Drought.gov**

National Integrated Drought Information System

BY LOCATION | COUNTY

## Drought Conditions for Eddy County

[Go To New Mexico State Page \(https://www.drought.gov/states/New-Mexico\)](https://www.drought.gov/states/New-Mexico)

Get notified when conditions change

[Sign Up for Alerts \(/drought-alerts/signup\)](/drought-alerts/signup)

53,829

people in Eddy County are affected by drought

No change since last week

No change since last month

100%

of people in Eddy County are affected by drought

No change since last week

No change since last month

1st

driest April on record, over the past 128 years

↓ 0.6

inches from normal

3rd

driest year to date over the past 128 years (January-April 2022)

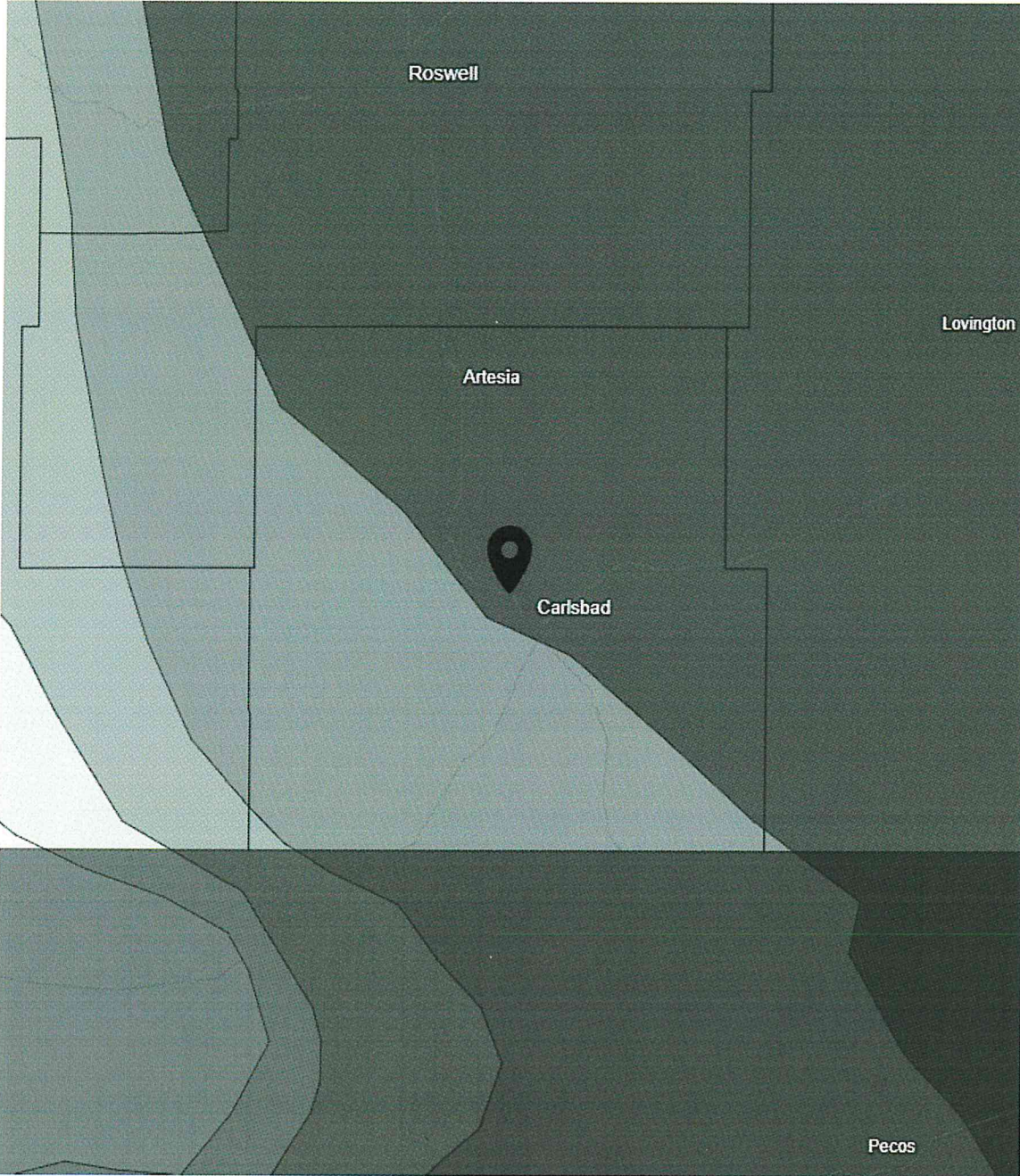
↓ 1.6

inches from normal

## Current Conditions for Eddy County

U.S. Drought Monitor





The U.S. Drought Monitor (USDM) is updated each Thursday to show the location and intensity of drought across the country using a five-category system, from Abnormally Dry (D0) conditions to Exceptional Drought (D4). The USDM is a joint effort of the National Drought Mitigation Center, USDA, and NOAA. Learn more ([/data-maps-tools/us-drought-monitor](https://data-maps-tools/us-drought-monitor)).

#### D0 - Abnormally Dry

Soil moisture is low  
Fire danger increases

**100.00%**  
of Eddy County  
(D0-D4)

#### D1 - Moderate Drought

Livestock need supplemental feed and water  
Burn bans and firework restrictions begin

**100.00%**  
of Eddy County  
(D1-D4)

#### D2 - Severe Drought

Pasture yield is limited; producers sell livestock  
Irrigated crops are stunted; dryland crops are brown  
Abundance and magnitude of wildfires may increase; fuel mitigation practices are in effect

**100.00%**  
of Eddy County  
(D2-D4)

#### D3 - Extreme Drought

Livestock are suffering; producers are selling herds; feed costs are high; emergency Conservation Reserve Program (CRP) grazing is authorized; crop yields are low  
Fire danger is extreme  
Irrigation allotments decrease

**99.67%**  
of Eddy County  
(D3-D4)

#### D4 - Exceptional Drought

Federal lands begin to close for fire precautions; burn bans increase  
No surface water is left for agriculture; farmers use private wells  
Rio Grande and other large rivers are dry

**52.29%**  
of Eddy County  
(D4)

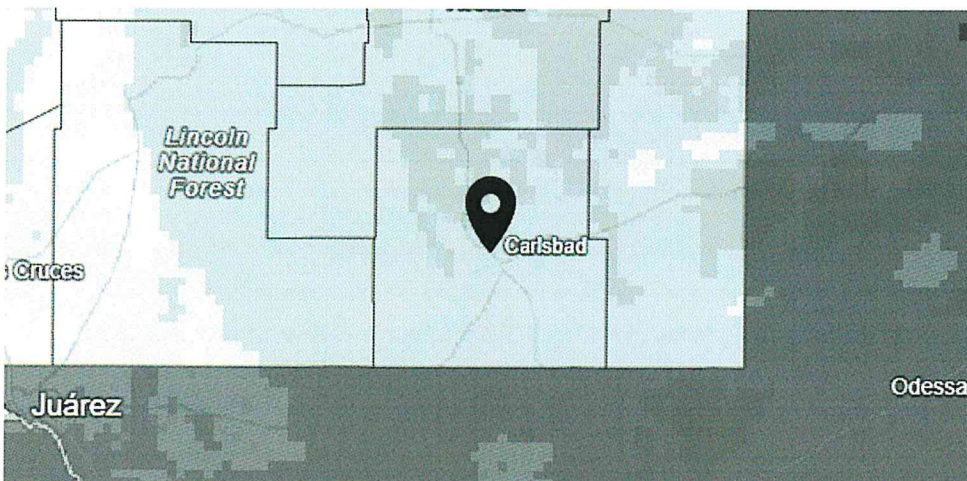
Source(s): NDMC (<https://www.drought.gov/about/partners/national-drought-mitigation-center-ndmc>), NOAA (<https://www.drought.gov/about/partners/national-oceanic-and-atmospheric-administration-noaa>), USDA (<https://www.drought.gov/about/partners/us-department-agriculture-usda>)

Updates Weekly - 05/03/22

#### Short-Term Drought Indicator Blend

EXPERIMENTAL

##### Short Term





These experimental drought blends integrate several key drought monitoring products and indices into a single short-term or long-term product, based on the methodology developed at the NOAA Climate Prediction Center. The blends are created using the Climate Engine tool, and apply the CPC weighting ratios to the high-resolution gridMET gridded research dataset.

The short-term blend combines PDSI, Z-Index, 1-month SPI, and 3-month SPI to estimate the overall short-term drought. This product is an example of current NIDIS-funded research (<https://drought.rancher.usda.gov/drought-research/climate-engine-enhancing-on-demand-cloud-computing>).

The data are updated every 5 days, with a delay of 4 to 5 days to allow for data collection and quality control. Learn more (<https://drought.rancher.usda.gov/data-maps-tools/short-and-long-term-drought-indicator-blends>).

[Click here for more information about this legend \(/explaining-drought-category-maps\)](/explaining-drought-category-maps)

#### Dry Conditions (Percentile Categories)



#### Wet Conditions (Percentile Categories)



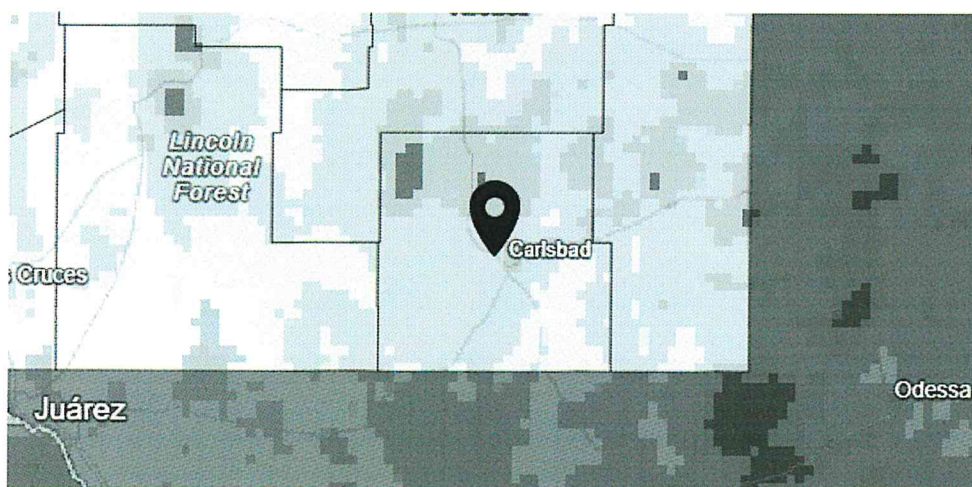
Source(s): UC Merced (</about/partners/university-california-merced>), Climate Engine (</data-maps-tools/climate-engine>)

Last Updated - 05/05/22

### Long-Term Drought Indicator Blend

EXPERIMENTAL

#### Long Term



These experimental drought blends integrate several key drought monitoring products and indices into a single short-term or long-term product, based on the methodology developed at the NOAA Climate Prediction Center. The blends are created using the Climate Engine tool, and apply the CPC weighting ratios to the high-resolution gridMET gridded research dataset.

The long-term blend combines PDSI, Z-Index, and 6-month, 1-year, 2-year, and 5-year SPI to estimate the overall long-term drought. This product is an example of current NIDIS-funded research (<https://drought.rancher.usda.gov/drought-research/climate-engine-enhancing-on-demand-cloud-computing>).

The data are updated every 5 days, with a delay of 4 to 5 days to allow for data collection and quality control. Learn more (<https://drought.rancher.usda.gov/data-maps-tools/short-and-long-term-drought-indicator-blends>).

[Click here for more information about this legend \(/explaining-drought-category-maps\)](/explaining-drought-category-maps)

#### Dry Conditions (Percentile Categories)



D4 (0-2)

D3 (2-5)

D2 (5-10)

D1 (10-20)

D0 (20-30)

(30-70)

**Wet Conditions (Percentile Categories)**

W0 (70-80)

W1 (80-90)

W2 (90-95)

W3 (95-98)

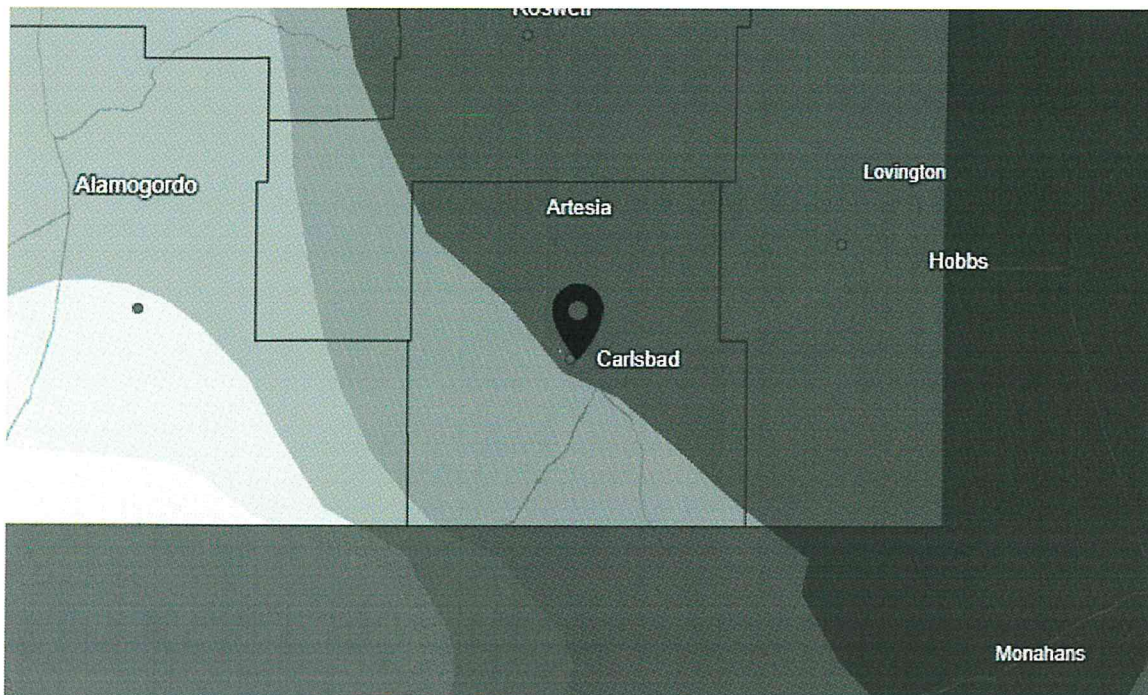
W4 (98-100)

Source(s): UC Merced (</about/partners/university-california-merced>), Climate Engine (</data-maps-tools/climate-engine>)

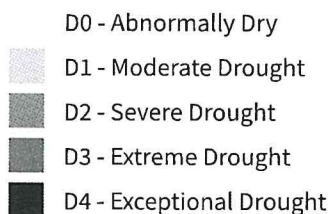
Last Updated - 05/05/22

## Agriculture in Eddy County

### Hay



The USDA's National Agricultural Statistics Service (NASS) conducts hundreds of surveys every year and prepares reports covering virtually every aspect of U.S. agriculture, including agricultural commodities statistics for crops and livestock. This map displays crops and livestock by county alongside the current U.S. Drought Monitor. The size of each dot represents the total acres (crops) or total inventory (livestock) per county. Learn more (</data-maps-tools/national-agricultural-statistics-service-nass-agricultural-data>).

**Crop Production (Acres)****U.S. Drought Monitor**Source(s): USDA NASS (</about/partners/national-agricultural-statistics-service>)

USDM Updates Weekly - 05/03/22



**17,394**

acres of hay in Eddy County

**1,773**

acres of haylage in Eddy County

**866**

number of sheep in Eddy County

**3,495**

acres of cotton in Eddy County

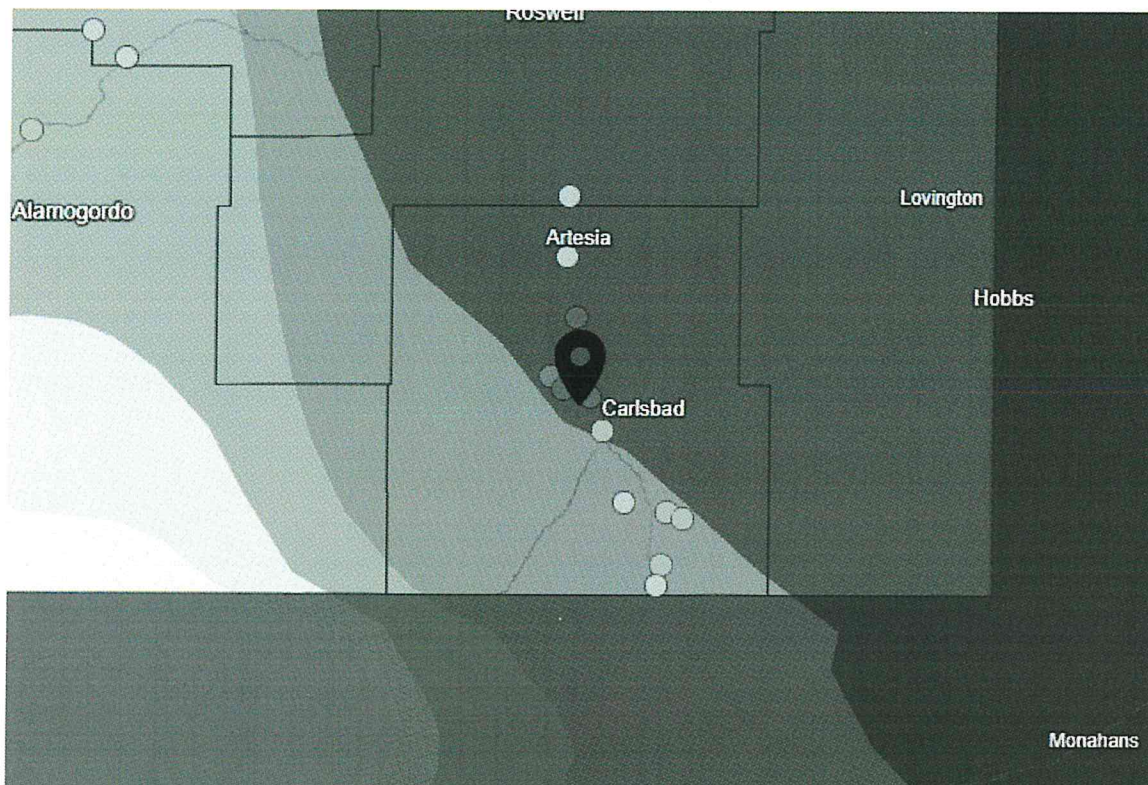
**25,927**

number of cattle in Eddy County

*This county is designated in drought by the USDA. [Learn more](#)*

## Water Supply in Eddy County

### Streamflow



The U.S. Geological Survey (USGS) produces maps of real-time streamflow conditions compared to historical conditions. The map depicts streamflow conditions as computed at USGS streamgages. The colors represent real-time streamflow compared to percentiles of historical daily streamflow for the day of the year. Click on a streamgage to view more data for that location. Learn more (</data-maps-tools/usgs-waterwatch>).

### Streamflow Conditions



### U.S. Drought Monitor



Source(s): USGS (</about/partners/us-geological-survey>)

Updates Daily - 05/11/22

53

percent of streamflow sites that are below normal in New Mexico

0

percent of streamflow sites that are above normal in New Mexico

0

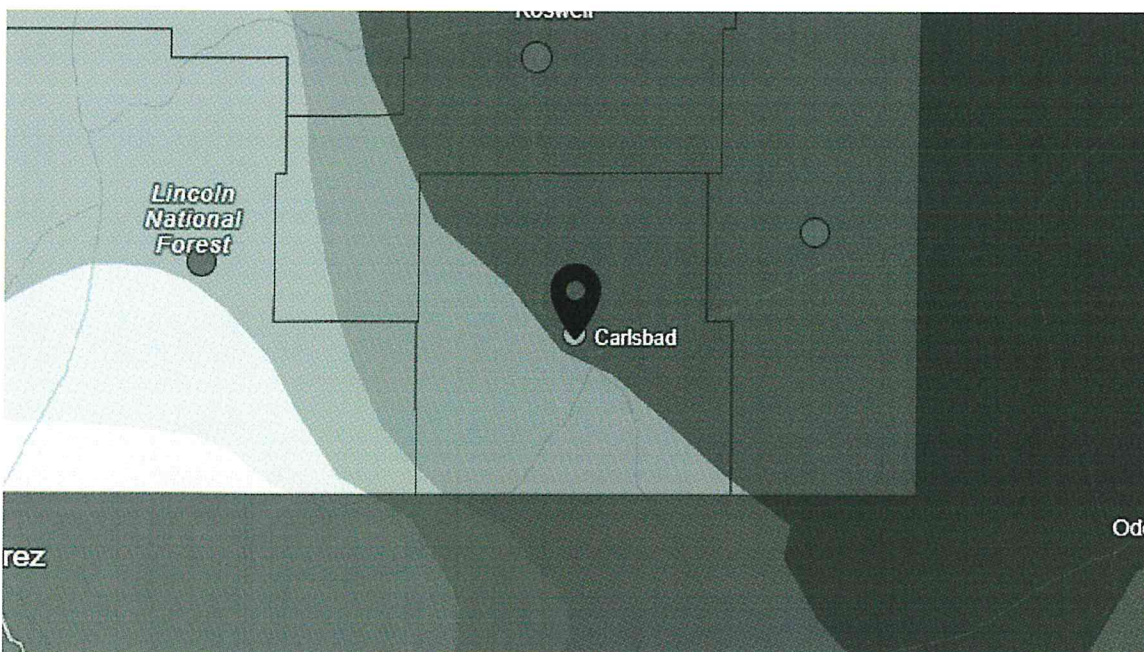
percent area of New Mexico with above normal precipitation probability this month

82

percent area of New Mexico with below normal precipitation probability this month

## Public Health in Eddy County

### Social Vulnerability Index





This map shows the Center for Disease Control and Prevention's (CDC's) Social Vulnerability Index alongside current U.S. Drought Monitor drought designations. CDC's Social Vulnerability Index uses 15 U.S. census variables at tract level (including poverty, lack of vehicle access, and crowded housing) to help local officials identify communities that may need support in preparing for or recovering from hazards, like drought. Learn more (</data-maps-tools/cdc-social-vulnerability-index>).

### Social Vulnerability Index (SVI)



### U.S. Drought Monitor



Source(s): CDC (</about/partners/centers-disease-control-and-prevention-cdc>)

USDM Updates Weekly - 05/03/22

**0.70**

Social Vulnerability Index Score

**No**

Air Quality Warning issued by the National Weather Service

**No**

Heat Warning issued by the National Weather Service

**No Wildfire**

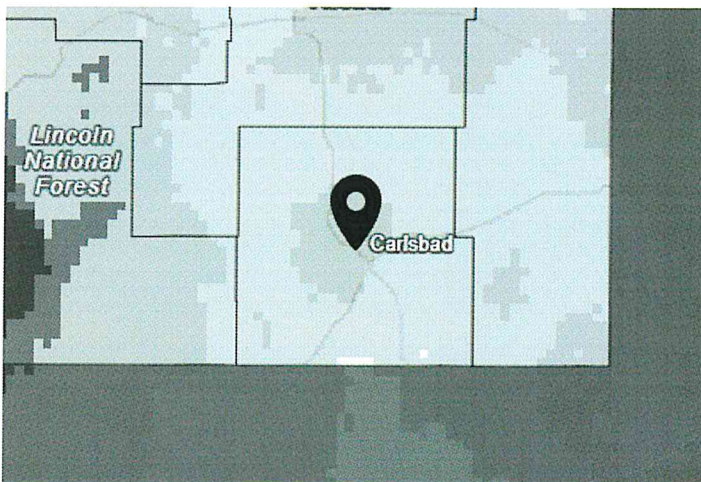
in Eddy

## Future Conditions for Eddy County

### Evaporative Demand (EDDI) Forecast

EXPERIMENTAL

#### Two Week



The Evaporative Demand Drought Index (EDDI) is an experimental drought monitoring and early warning guidance tool. It examines how anomalous the atmospheric evaporative demand (E0; also known as "the thirst of the atmosphere") is for a given location and across a time period of interest. This experimental subseasonal EDDI forecast shows projected evaporative demand for the next 2 weeks and 4 weeks from the CFS-gridMET dataset at 4-km gridded resolution. Learn more (<https://www.drought.gov/data-maps-tools/evaporative-demand-drought-index-eddi-subseasonal-forecasts>).

### Dry Conditions



D4

D3

D2

D1

D0

**Wet Conditions**

Near Normal

W0

W1

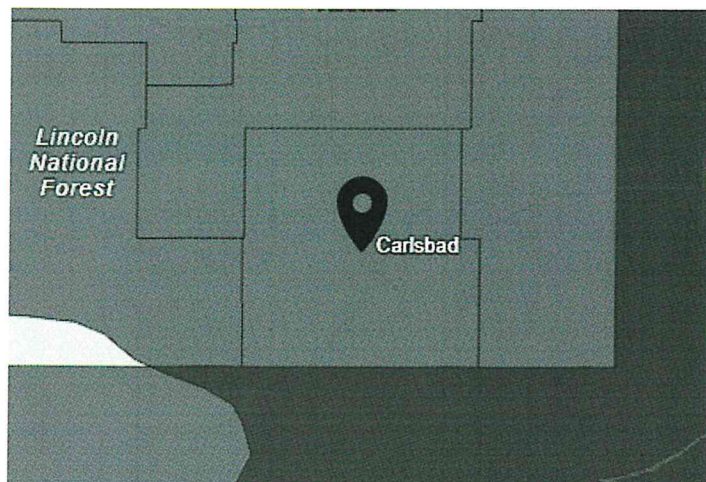
W2

W3

W4






Source(s): UC Merced (<https://www.drought.gov/about/partners/university-california-merced>)

Updates Daily - 05/11/22

**U.S. Drought Outlooks****Monthly**

The National Weather Service Climate Prediction Center's Monthly Drought Outlook is issued at the end of each calendar month and is valid for the upcoming month.

The Outlook predicts whether drought will persist, develop, improve, or be removed over the next month. Learn more (</data-maps-tools/us-monthly-drought-outlook>).

-  Drought persists
-  Drought remains but improves
-  Drought removal likely
-  Drought development likely
-  No drought present

Source(s): CPC (</about/partners/climate-prediction-center>)

Updates Monthly - 04/30/22

**Historical Conditions for Eddy County****Explore Historical Maps**[2000 - Present \(Weekly\)](#)[1895 - Present \(Monthly\)](#)[0 - 2017 \(Yearly\)](#)

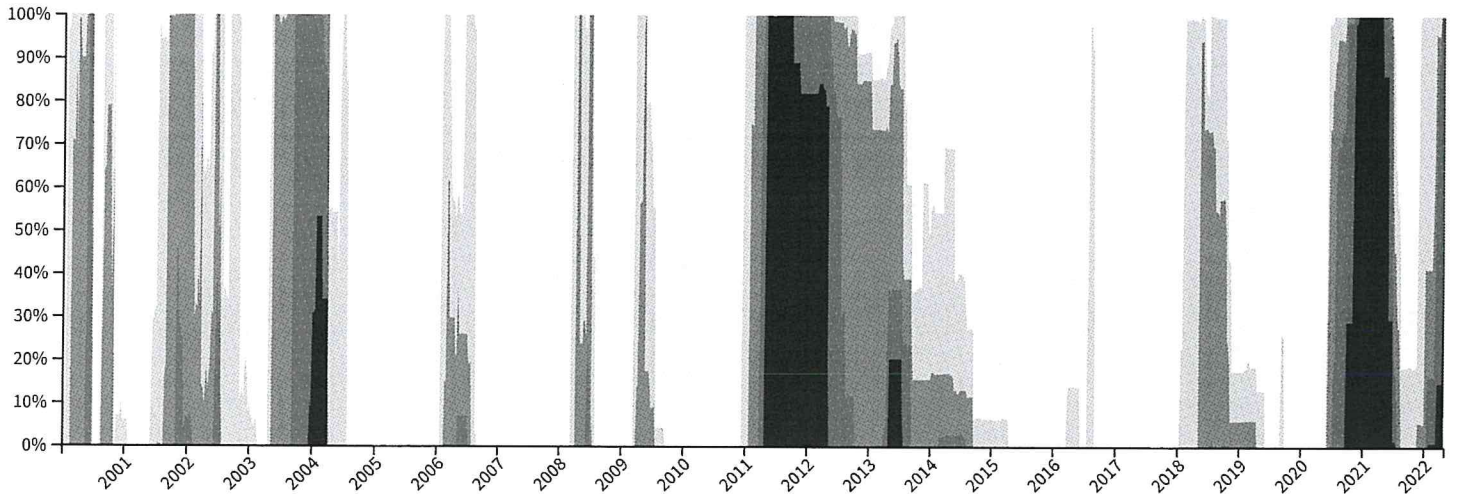
The U.S. Drought Monitor (USDM) is a national map released every Thursday, showing parts of the U.S. that are in drought. The USDM relies on drought experts to synthesize the best available data and work with local observers to interpret the information. The USDM also incorporates ground truthing and information about how drought is affecting people, via a network of more than 450 observers across the country, including state climatologists, National Weather Service staff, Extension agents, and hydrologists. Learn more.

Time Period (Years):

to

[Update Graph](#)[Reset Graph](#)

Latest Available Data:2022-05-03



☐ D0 ☐ D1 ☐ D2 ☐ D3 ☐ D4

Click or hover on legend boxes to interact with the graph.

[Image](#)[JSON](#)[XML](#)[CSV](#)

[Download screenshot of this panel](#) [Learn more about these data](#)

**CITY OF ARTESIA  
AGENDA ITEM ABSTRACT**

**Regular City Council Meeting**  
**Meeting Date: 5/24/2022**

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**ACTION REQUESTED:**

Modify and give direction to staff regarding the process in which vacant positions are filled after vacated by allowing staff to advertise to fill immediately.

**BACKGROUND:**

**Initiated by: Mayor Henry**  
**Staff Liaison: Jerry Conde**

The current process to fill a vacated position is to receive approval from the city council at a regular council meeting before even advertising to fill. This process has resulted in lost time and could potentially cause the city to lose prospective employees as well as caused loss of productivity. It is proposed that we allow staff to immediately post vacant positions that have already been authorized in the budget. This would only be positions that have been approved during our annual budget process and approved by DFA. Final hiring would still be required to be approved by the city council as usual.

**FINANCIAL CONSIDERATION:**

N/A

**LEGAL REVIEW:**

Not required.

**BOARD AND COMMITTEE ACTION:**

N/A

**STAFF RECOMMENDATION:**

Modify and give direction to staff regarding the process in which vacant positions are filled after vacated by allowing staff to advertise to fill immediately.

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**ATTACHMENTS**